

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

DEC - 2011

-----X
THE CITY OF NEW YORK,

Plaintiff,

-against-

NOT FOR PUBLICATION
ORDER
08-CV-3966 (CBA)

GOLDEN FEATHER SMOKE SHOP, INC., KIMO
SMOKE SHOP, INC., SMOKE AND ROLLS INC.,
SHAWN MORRISON, KIANA MORRISON, in her
individual capacity, MONIQUE'S SMOKE SHOP,
ERNESTINE WATKINS, in her individual capacity,
JESSEY WATKINS, WAYNE HARRIS, PEACE PIPE
SMOKE SHOP, RODNEY MORRISON, Sr.,
CHARLOTTE MORRISON, in her individual capacity,
RED DOT & FEATHERS SMOKE SHOP, INC.,
RAYMOND HART, in his individual capacity,
SMOKING ARROW SMOKE SHOP, DENISE
PASCHALL, in her individual capacity, TONY D.
PHILLIPS, TDM DISCOUNT CIGARETTES, and
THOMASINA MACK, in her individual capacity,

Defendants.

-----X
AMON, Chief United States District Judge:

On June 25, 2010, this Court found defendant Rodney Morrison in contempt of the Court's August 25, 2009 injunction. On September 23, 2010, this Court "so ordered" a stipulation between the City and Morrison in which Morrison agreed to pay \$70,000 in contempt damages by October 20, 2010. Having not received this payment, the City has moved the Court to enter judgment against Morrison for this amount. At a status conference on November 17, 2011, Morrison's counsel agreed that the entry of judgment would be appropriate.

Accordingly, because the parties appear to agree that the issue of Morrison's contempt sanctions has been "finally decided," and is separate and distinct from the remaining issues in this litigation, and Court finds that there is "no just reason for delay" in entering judgment. See Fed. R. Civ. Proc. 54(b); Ginett v. Computer Task Group, Inc., 962 F.2d 1085, 1091-96 (2d Cir. 1992);


Fendi Adele S.R.L. v. Burlington Coat Factory Warehouse Corp., 642 F.Supp.2d 276, 282-83

(S.D.N.Y. 2009); Rudd v. Advance Bedding Corp., 1997 WL 139001 (E.D.N.Y. 1997).

The Clerk of Court is directed to enter judgment against Rodney Morrison in the amount of \$70,000 in compensatory contempt sanctions, in favor of the plaintiff City of New York. This judgment does not close this case or terminate Morrison as a defendant.

SO ORDERED.

Dated: Brooklyn, New York
December 8, 2011


Carol Bagley Amon
Chief United States District Judge